

PLANNING COMMISSION

July 11, 2018

Action Minutes

WELCOME

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Commissioners Allen, Griswold, Leyba, Marquez, Vora (arrived at 6:41 PM),
Yesney

ABSENT: Commissioners Ballard

1. CALL TO ORDER & ORDERS OF THE DAY

Meeting called to order at 6:32 p.m.

Chair Allen welcomed the new commissioners – Commissioners Griswold, Leyba and Marquez

2. PUBLIC COMMENT

None

3. DEFERRALS AND REMOVALS FROM CALENDAR

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table.

Staff will provide an update on the items for which deferral is being requested. If you want to change any of the deferral dates recommended, or speak to the question of deferring these or any other items, you should say so at this time.

No items

4. CONSENT CALENDAR

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff, or the public to have an item removed from the consent calendar and considered separately.

Staff will provide an update on the consent calendar. If you wish to speak on one of these items individually, please come to the podium at this time.

- a. **CP17-038 (Administrative).** Conditional Use Permit to allow the demolition and replacement of the existing motor control center and transformer, and the construction of a new pump house with boosters, equipment shelter, back-up generator, surge tank, and six-foot front fence and gate for an existing utility facility on a 1.15-gross acre site located on the south side of Branham Lane, approximately 400 feet easterly of Almaden Road (1070 Branham Lane) (San Jose Water Company, Owner). Council District 9. CEQA: Exempt per CEQA Guidelines Section 15301(e) for Existing Facilities.

PROJECT MANAGER, KRINJAL MATHUR

1. **CONSIDERED THE EXEMPTION PER CEQA GUIDELINES SECTION 15301(E) FOR EXISTING FACILITIES IN ACCORDANCE WITH CEQA. (5-0-2, BALLARD, VORA ABSENT)**
2. **ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER LEYBA SECONDED THE MOTION. (5-0-2; BALLARD, VORA ABSENT)**

- b. **CP18-018 (Administrative).** Conditional Use Permit to allow approximately 17,700 square feet of social service use for Santa Clara County Social Services Agency in an existing 194,178 square foot office building located on the north side of West Julian Street, approximately 530 feet east of North Pleasant Street (353 West Julian Street) (Si 42 LLC, Owner). Council District: 3. CEQA: Determination of Consistency with the Addendum to the Final Program Environmental Impact Report for the San Jose Downtown Strategy (Resolution No. 72767), Final Program Environmental Impact Report for the Envision San Jose 2040 General Plan (Resolution No. 76041), and the Supplemental Program Environmental Impact Report for the Envision San Jose 2040 General Plan (Resolution No. 77617).

PROJECT MANAGER, LEA SIMVOULAKIS

PULLED FROM CONSENT CALENDAR AT THE REQUEST OF COMMISSIONER LEYBA AND HEARD UNDER PUBLIC HEARING

1. **CONSIDERED THE DETERMINATION OF CONSISTENCY WITH THE ADDENDUM TO THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SAN JOSE DOWNTOWN STRATEGY (RESOLUTION NO. 72767), FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE ENVISION SAN JOSE 2040 GENERAL PLAN (RESOLUTION NO. 76041), AND THE SUPPLEMENTAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE ENVISION SAN JOSE 2040 GENERAL PLAN (RESOLUTION NO. 77617) ALL IN ACCORDANCE WITH CEQA. (6-0-1; BALLARD ABSENT)**
2. **ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER VORA SECONDED THE MOTION. (6-0-1, BALLARD ABSENT)**

- c. [CPA11-034-02 \(Administrative\)](#). Conditional Use Permit Amendment to modify the permit expiration condition of a previously approved Conditional Use Permit (File No. CP11-034), as amended, that allowed the construction of a 100% affordable residential service facility and multi-family building for up to 135 residents in the DC Downtown Primary Commercial Zoning District on a 0.73-gross acre site, located on the north side of Bassett Street between Highway 87 and North San Pedro (First Community Housing, Owner). Council District 3. CEQA: Determination of Consistency with the Addendum to the Brandenburg Mixed-Use Project/North San Pedro Housing Sites Final Environmental Impact Report (EIR) Resolution No.72170, and Addenda thereto, File No. CP11-034.

PROJECT MANAGER, STEFANIE FARMER

1. **CONSIDERED THE DETERMINATION OF CONSISTENCY WITH THE ADDENDUM TO THE BRANDENBURG MIXED-USE PROJECT/NORTH SAN PEDRO HOUSING SITES FINAL ENVIRONMENTAL IMPACT REPORT (EIR) RESOLUTION NO.72170, AND ADDENDA THERETO, FILE NO. CP11-034, IN ACCORDANCE WITH CEQA. (5-0-2, BALLARD, VORA ABSENT)**
2. **ACTION: COMMISSIONER YESNEY MADE A MOTION TO APPROVE A CONDITIONAL USE PERMIT AMENDMENT RESOLUTION AS DESCRIBED ABOVE. COMMISSIONER LEYBA SECONDED THE MOTION. (5-0-2; BALLARD, VORA ABSENT)**

5. PUBLIC HEARING

Generally, the Public Hearing items are considered by the Planning Commission in the order in which they appear on the agenda. However, please be advised that the Commission may take items out of order to facilitate the agenda, such as to accommodate significant public testimony, or may defer discussion of items to later agendas for public hearing time management purposes.

No items

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

No items

7. GOOD AND WELFARE

- a. Report from City Council

The City Council approved the following major items at the June 18, 2018 hearing:

PP18-046 - Amendment to Title 20 of the San Jose Municipal Code regarding accessory dwelling units

C17-009, SP17-016 & T17-015 Conforming Rezoning, Special Use Permit and Vesting Tentative Map to allow a six-story, 130-residential unit development at 425 & 433 Auzerais Avenue

PDA79-094-02 & ABC18-001 – Planned Development Permit Amendment and Determination of Public Convenience or Necessity for the off-sale of beer and wine at a grocery store located at 1771 East Capitol Expressway

b. Review and Approve Action Minutes from [6/13/18](#)

Commissioner Vora made a motion to approve the 6/13/18 minutes. Commissioner Yesney seconded the motion. (3-3-1; Griswold, Leyba, Marquez Abstained, Ballard Absent)

c. Subcommittee Formation, Reports, and Outstanding Business

d. Commission Calendar and Study Sessions

The Commission recommended the following topics for future Study Sessions or the Planning Commission Retreat in September:

- *Status update on Urban Villages and Horizons, including the Implementation and Amenity Framework, site visits to projects in Urban Villages, community engagement and public outreach*
- *State Bill No. 35 (affordable housing)*
- *Assembly Bill No. 1000 (water conveyance)*
- *Assembly Bill No. 617 (non-vehicular air pollution)*
- *Council Policy 6-30: Public Outreach*

Commissioners Griswold and Vora will be absent for the 7/25 Planning Commission Meeting.

e. The Public Record

8. ADJOURNMENT

Meeting adjourned at 7:02 p.m.